

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, May 14, 2013

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members David Duax, Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Eric Larsen, Monica Lewis, Kathy Mitchell, David Strobel, Bob Von Haden, Andrew Werthmann, and Michael Xiong.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, May 14, 2013. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Von Haden “to adopt the consent resolution”. Said motion passed by unanimous vote.

COMMENDATIONS & PROCLAMATION

Council President Kincaid, on behalf of the City Council, presented a plaque to Larry Balow for his service as a member of the City Council from 2008 to 2013.

Council President Kincaid, on behalf of the City Council, presented a plaque to Thomas Vue for his service as a member of the City Council from 2004 to 2013.

Council President Kincaid, on behalf of the Council, proclaimed May as Historic Preservation Month in the City and encouraged citizens to celebrate the role of heritage and historic buildings have had in shaping our city.

Council President Kincaid, on behalf of the City Council, proclaimed May 17, 2013, as National Bike to Work Day in the City and encouraged residents to ride their bicycles for fitness, recreation, and transportation as often as possible.

Council President Kincaid, on behalf of the Council, proclaimed May as National Water Safety Month in the City and encouraged residents to recognize the importance of knowing and following water safety rules.

Council President Kincaid, on behalf of the City Council, proclaimed the week of May 19 – 25, 2013, as Emergency Medical Services Week in the City of Eau Claire.

LIQUOR LICENSES

The City Council considered a resolution granting a permanent expansion of the Combination Class B Intoxicating Liquor and Fermented Malt Beverage licensed premise of James Girolamo,

d/b/a Girolamo's Court 'n House, 113 West Grand Avenue to include 115 West Grand Avenue, the building next door. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage to:

- From the Vine, LLC ,d/b/a From the Vine Wine Room
2526 Golf Road, Kathy Nuenke, agent

OR

- Coffee Grounds Inc., d/b/a Coffee Grounds
4210 Southtowne Drive, Eric Nelson, agent

OR

- The Congressional Inc., d/b/a The Congressional
405 S. Barstow Street, Jeremy S. Kachmar, agent

OR

- Larson Oakwood Business Park II, LLC, d/b/a Johnny's Italian Steakhouse
4751 Owen Ayres Court, Thomas Larson, agent.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Duax "to grant a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license to_____ (blank)". Council discussed the four applicants. Said motion to grant the license passed by the following vote: Aye: Council Members Duax, Emmanuelle, Klinkhammer, Lewis, Mitchell, Strobel, Von Haden, and Xiong. Nay: Council Members Kincaid, Larsen, and Werthmann. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Mitchell "that a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license be granted to Larson Oakwood Business Park II, LLC, d/b/a Johnny's Italian Steakhouse, 4751 Owen Ayres Court, Thomas Larson, agent". Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Lewis "to indefinitely postpone consideration of granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license to:

- From the Vine, LLC ,d/b/a From the Vine Wine Room
2526 Golf Road, Kathy Nuenke, agent

OR

- Coffee Grounds Inc., d/b/a Coffee Grounds
4210 Southtowne Drive, Eric Nelson, agent

OR

- The Congressional Inc., d/b/a The Congressional
405 S. Barstow Street, Jeremy S. Kachmar, agent

as at this time no such license is available". Said motion to indefinitely postpone passed by unanimous voice vote.

BOARDS, COMMITTEES & COMMISSIONS

The City Council considered a resolution approving the following appointments to Boards, Committees and Commissions:

Plan Commission

William Glass – new appointment to fill unexpired term, to expire April 30, 2014

Utility Appeals Board (three-year term to expire April 30, 2016)

Joe Luginbill – new appointment

Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Emmanuelle “to adopt said resolution”. Said motion passed by unanimous vote.

FISCAL POLICY

The Council considered a resolution to rename the Fiscal Policy Committee as the Fiscal Policy Advisory Committee and to establish the Committee’s responsibilities. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Werthmann, and Xiong. Nay: Council Members Lewis and Von Haden.

CITY – COUNTY AGREEMENT – STREET IMPROVEMENT PROJECT

The Council considered a resolution approving an Intergovernmental Cooperative Agreement with Eau Claire County for roadway widening of CTH AA (Prill Road), Gables Court to House Road. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Larsen “to adopt said resolution”. Said motion passed by unanimous vote.

SOUTH BARSTOW STREET IMPROVEMENT PROJECT

The City Council considered a resolution approving the bid and proposal for Procurement No. 2013-18, South Barstow Street Reconstruction. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Emmanuelle “to adopt said resolution”. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Von Haden “to amend said resolution to include the changes reported on Page 190 of the agenda packet, which are the results of the surveys initiated by one of the property owners”. Said motion failed by the following vote: Aye: Council Members Lewis and Von Haden. Nay: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Werthmann, and Xiong. The council then voted on the original resolution. Said motion passed by unanimous vote.

The Council considered a resolution approving the bid and proposal for Procurement No. 2013-20, Purchase of Street Light Poles for South Barstow Street. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by unanimous vote.

ENCROACHMENT

The Council considered a resolution granting a permanent encroachment to Parcel 13-0775 (1303 Highland Avenue) for placing a fence in the public right-of-way on the Chauncey Street side of the parcel. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt said resolution”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Mitchell “to postpone consideration and refer issue back to staff for further evaluation and discussion with the property owner to see what can be worked out that is in compliance and bring back alternatives at a future date upon completion of that discussion”. Said motion passed by the following voice vote: Aye: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Lewis, Mitchell, Von Haden, Werthmann, and Xiong. Nay: Council Member Strobel.

Council Members Emmanuelle, Larsen, and Werthmann left the Council meeting.

ASSESSMENT SETTLEMENT

The City Council considered a resolution approving the settlement of claimed excessive property tax assessment for Target Corporation. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Mitchell “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Duax, Kincaid, Klinkhammer, Lewis, Mitchell, Strobel, Von Haden, and Xiong.

Council Members Emmanuelle, Larsen, and Werthmann returned to the Council meeting.

PARKING LOT SURFACING

The Council considered a resolution approving the bid and proposal for Procurement No. 2013-29, Temporary Parking Lot to be located at the south-west corner of Wisconsin Street and N. Barstow Street, known as Block 7, and approving an appropriation for said project. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Strobel “to adopt said resolution”. Said motion passed by unanimous vote.

DEVELOPMENT AGREEMENT

The City Council considered a resolution to approve a development agreement with Pablo Properties LLC (JAMF Software). Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

HEALTH INSURANCE

The Council considered a resolution extending the health insurance plan with Group Health for one year. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Larsen “to adopt said resolution”. Said motion passed by unanimous vote.

ZONING

The City Council considered an ordinance rezoning property located north of County Line Road and west of Jeffers Road from TR-1A to R-1 and from R-3P to R-2P for duplex or single-family development as shown on Planning File #Z-1526-13. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Lewis “to adopt said ordinance”. Said motion passed by unanimous vote.

ADJOURNMENT

A motion was offered by Council Member Emmanuelle and seconded by Council Member Werthmann “that this meeting does now adjourn.” Said motion passed by unanimous voice vote.

Adjournment: May 14, 2013

Time: 8:10 p.m.

ATTEST:

Kerry J. S. Kincaid, President

Cynthia Anderson, Deputy City Clerk